

**BOARD OF PSYCHOLOGY**

1422 HOWE AVENUE, SUITE 22
SACRAMENTO, CA 95825-3200
(916) 263-2699
www.psychboard.ca.gov

**BOARD OF PSYCHOLOGY
Quarterly Board Meeting****Open Session Minutes**

**Mission Inn
3649 Mission Inn Avenue
Riverside, CA 92501**

Friday, May 10, 2002

The open session meeting was called to order by the President, Martin Greenberg, Ph.D. at 10:02 a.m. A quorum was present and due notice had been sent to all interested parties.

Present were:

Martin Greenberg, PhD, President
Emil Rodolfa, PhD, Vice-President
Pamela Harmell, PhD
Marilyn Palarea
Mary Ellen Early
William Tan

Others Present:

Thomas O'Connor, Executive Officer
Laura Freedman, Legal Counsel
Jeffrey Thomas, Assistant Executive Officer
Kathy Bradbury, Administrative Services Coordinator
Kathi Burns, Enforcement Coordinator
Karen Johnson, Examination Coordinator

Agenda Item #1 – Committee Meeting – Enforcement Committee Meeting**a. Review of Disciplinary Guidelines**

The Enforcement Committee met to discuss and formulate recommendations to the Board regarding revisions and updates to the Board's Disciplinary Guidelines.

Agenda Item #2 – Committee Meetings

The Credentials Committee, Examination Committee, Legislation Committee, and Consumer Education Committee met to discuss and formulate recommendations to the Board.

1 **Agenda Item #3 – PURKISS, Thomas, Ph.D. – Hearing on Petition for Termination of**
2 **Probation**

3
4 Administrative Law Judge Steven Hjelt presided. There was no Deputy Attorney General
5 present to represent the people. Dr. Purkiss was present and represented himself.
6

7 **Agenda Item #4 – ROSNER, Joseph, Ph.D. – Hearing on Petition for Termination of**
8 **Probation**

9
10 Administrative Law Judge Steven Hjelt presided. There was no Deputy Attorney General
11 present to represent the people. Dr. Rosner was present and represented himself.
12

13 The Board adjourned into closed session at 1:45 p.m. to 2:10 p.m. and again at 2:35 p.m.
14
15

16 **Saturday, May 11, 2002**

17
18 The open session meeting was called to order by the President, Martin R. Greenberg, PhD at
19 8:10 am. A quorum was present and due notice had been sent to all interested parties.
20

21 **Present were:**

22 Martin Greenberg, PhD, President
23 Emil Rodolfa, PhD, Vice-President
24 Pamela Harmell, PhD
25 Marilyn Palarea
26 Mary Ellen Early
27 William Tan
28

29 **Others Present:**

30 Thomas O'Connor, Executive Officer
31 Laura Freedman, Legal Counsel
32 Jeffrey Thomas, Assistant Executive Officer
33 Kathy Bradbury, Administrative Services Coordinator
34 Karen Johnson, Examination Coordinator
35

36 **Agenda Item #9 – Approval of March 8 & 9, 2002 Open Session Minutes**

37
38 M(Palarea)/S((Tan)/C to approve the March 8 & 9, 2002 Open Session Minutes with minor
39 corrections.
40

41 Vote: 6-0
42

43 **Agenda Item #10 – President's Report – Dr. Greenberg**

44
45 **a. ASPPB Update**

46
47 Dr. Greenberg discussed the information received from the Association of State and Provincial
48 Psychology Boards (ASPPB) regarding the unexplained slowdown in the number of candidates
49 sitting nationally for the computer administered Examination for Professional Practice in
50 Psychology (EPPP). He indicates that such a slowdown is typical in transition to computer
51 based testing. Dr. Rodolfa reminded the board that the data indicates that the closer one takes
52 the EPPP to the doctoral degree date, the higher the score one will achieve on the EPPP.

1
2 Dr. Greenberg also discussed that ASPPB has recently notified boards that effective 1/1/03, all
3 boards must have candidates pay the Professional Examination Service directly for the EPPP
4 fee. Currently, the California board has candidates pay the fee to the board and the board
5 reimburses PES by invoice on a monthly basis. Payment of the fee directly to PES is more
6 efficient for all parties involved. This requires a regulation change.

7
8 Dr. Greenberg mentioned that ASPPB's recently updated website acknowledges the California
9 Board of Psychology for its permission to use and modify information for consumers available
10 on its website.

11 12 **b. National Register/Mobility Questions**

13
14 Dr. Greenberg explained that the Credentials Committee had discussed this issue and intends
15 to explore the reciprocity issue as a whole. He asked that staff work with legal counsel and look
16 at section 2946 of the Business and Professions Code to determine if regulations could be
17 developed to directly address a California reciprocity policy without reference to credentials and
18 affiliations such as the National Register, CPQ and APBB. He asked that the issue of
19 reciprocity as addressed in section 2946 be brought back as an item on the August meeting
20 agenda.

21 22 **Agenda Item #11- Executive Officer's Report- Mr. O'Connor**

23 24 **a. 2003 Calendar**

25
26 Mr. O'Connor presented the proposed event calendar for 2003. He explained that this calendar
27 includes a February meeting instead of a March meeting to more efficiently space the quarterly
28 meetings throughout the year. Board members expressed no problems with the proposed
29 dates. Mr. O'Connor advised that the proposed locations may change as staff secures cost
30 effective and convenient meeting sites throughout the state.

31 32 **b. Strategic Plan Update – Education and Outreach**

33
34 Mr. O'Connor explained that staff has managed to have the Consumer Pamphlet translated into
35 Spanish and published in the current year with existing resources. This being the case, there
36 will be no need to submit a Budget Change Proposal.

37
38 Mr. O'Connor explained that staff has obtained scanning equipment to place all accusations and
39 decisions on the website available for download. Currently, staff is trying to overcome technical
40 difficulties in the download process before the project can get going.

41
42 Mr. O'Connor reviewed the Ongoing Objectives indicating that progress in all areas is being
43 achieved as planned.

44 45 **c. DCA Complaint Disclosure Update**

46
47 Mr. O'Connor indicated that board packets contain the most current draft of the DCA proposed
48 policy and a "quick-view" summary of what the policy proposes. He explained that the Medical
49 Board (MBC) has recently received much attention with regard to public disclosure of complaint
50 information. In response to this attention, the MBC has held its own public hearings on this
51 issue and currently is proposing to change its disclosure policy to disclose cases at the point the
52 matter is referred to the Office of the Attorney General for the filing of an accusation. Mr.

O'Connor suggested that staff will collect the facts from the MBC and the DCA efforts and bring some level of recommendations back to the board at its August 2002 quarterly meeting.

d. Other Executive Officer's Informational Items

Mr. O'Connor advised the board that he and board expert, Eugene Roeder, Ph.D. participated in a seminar on May 3, 2002 in Santa Clara entitled Coping with Difficult and Draining High Conflict Custody Cases.

Agenda Item #12 – Legal Counsel's Report – Ms. Freedman

Ms. Freedman indicated that she had no items for update since the March Meeting.

Agenda Item #13 – Regulations Update – Ms. Bradbury

a. Current Rulemaking Files in Progress

Ms. Bradbury informed the board that the proposal heard at the March meeting to require training for supervisors is currently in final review at the Department of Consumer Affairs. The proposed regulations to reduce the biennial renewal fee will be heard on this date at 10:00 am. The fiscal statement for these proposed regulations has already been approved by Agency.

Dr. Greenberg asked Dr. Charles Faltz who was in the audience representing the California Psychological Association (CPA) if he had heard any feedback or comments regarding the proposal to require training for supervisors. Dr. Faltz indicated that he had not.

b. Other Regulation Update Information Items

There were no other regulation informational items for discussion.

Agenda Item #14 – Continuing Education Update

Mr. Thomas suggested that the board skip to Item (b) inasmuch as attorney John Kennedy was in attendance to make a presentation on behalf of his client, the Prescribing Psychologists Register, Inc (PPR).

b. Continuing Education Provider – Prescribing Psychologists Register, Inc.

Mr. John Kennedy from the law firm of Nossaman, Guthner, Knox & Elliott appeared before the board to make a presentation on behalf of his client, PPR. Mr. Kennedy informed the board that as a result of the board's acceptance of APA provider courses, some confusion has resulted across the country as to whether PPR courses will meet California continuing education requirements. PPR is therefore asking the board to amend its regulations to recognize PPR as it recognizes the MCEPAA, APA, the Academies of the ABPP, and CME courses.

The board discussed the issues with Mr. Kennedy. The question of what is the history of PPR trying to become a provider was posed. The question of what mechanisms does PPR have to review courses was posed. Dr. Greenberg requested PPR to provide protocols used to review courses and he recommended that they provide more information of this type to the board and bring the item back to the board at its August meeting. He stated that the more information PPR can provide, the easier it will be to make a decision.

Mr. Tan asked Mr. Kennedy to provide a comparison of PPR to the APA continuing education review and approval process.

1
2 Dr. Rodolfa asked for an explanation as to why PPR has not sought to become an approved
3 APA provider and such approval would resolve the issue for California psychologists regardless
4 of where the courses are taken.

5
6 This issue will be placed on the August agenda.

7
8 **a. Continuing Education Statistics**

9
10 Mr. Thomas presented the April 2002 Renewal Non-Compliance Rates report from the
11 MCEP Accrediting Agency. Mr. Thomas pointed out that the non-compliance rate for the
12 most recent renewal period reported, which was January 2002, had increased to 16
13 percent. Dr. Rodolfa noted that the non-compliance rate had doubled from the January
14 2001 renewal period when it was first reported in April of last year.

15
16 **c. CE Exception Policy Requests**

17
18 Mr. Thomas reminded the board that a policy for exception from the continuing education
19 requirements was adopted by the Board at its March meeting. He presented a draft
20 application form that he had developed and suggested that it would be easier for the Board
21 to review such requests if they were submitted in the same format.

22
23 It was M(Rodolfa)/S(Palarea)/C to approve the application with minor corrections.

24
25 Vote: 6-0

26
27 Mr. Thomas presented two requests for exception from the CE requirements pursuant to
28 the Board's policy. The first was submitted by A.C.B.

29
30 It was M(Rodolfa)/S(Harmell)/C to approved A.C.B.'s request for exception.

31
32 The second was submitted by S.J.B. Since course fliers/course descriptions for the
33 courses he has taken were not included with his request, the board requested that the
34 application form be sent to S.J.B. requesting that he resubmit his request in this format.

35
36 **d. Draft Language for Continuing Education Exceptions**

37
38 Mr. Thomas presented the board with draft regulatory language to establish the policy for
39 continuing education exceptions that was adopted at the March meeting into regulation.

40
41 It was M(Rodolfa)/S(Palarea)/C to authorize staff to go forth with the regulatory process
42 with minor changes to the draft language.

43
44 **e. Other Continuing Education Update Informational Items**

45
46 Mr. Thomas reported that there were no further informational items.

47
48
49
50
51 **Agenda Item #16- Credentials Committee Report – Dr. Harmell**

(Note: Being ahead of schedule, the board skipped to Item #16 to return to the time certain Item #15 at 10:00 a.m.)

a. B.C.C.: Plan for supervised professional experience in applied clinical research

M(Credentials Committee)/C to approve B.C.C.'s request to earn hours of supervised professional experience in the area of applied clinical research.

b. T.E.W.: Plan for supervised professional experience in applied psychological research

M(Credentials Committee)/C to approve T.E.W.'s request to earn hours of supervised professional experience in the area of applied psychological research.

c. S.E.L.: Plan for supervised professional experience in applied psychological research

M(Credentials Committee)/C to approve S.E.L.'s request to earn hours of supervised professional experience in the area of applied psychological research.

d. D.L.M.: Plan for supervised professional experience in applied clinical research

M(Credentials Committee)/C to approve D.L.M.'s request to earn hours of supervised professional experience in the area of applied clinical research.

e. Other Credentials Informational Items

J.W.K.: Plan for supervised professional experience in applied clinical research

M(Credentials Committee)/C to approve J.W.K.'s request to earn hours of supervised professional experience in the area of applied clinical research.

A.T.T.: Plan for supervised professional experience in behavioral medicine/health psychology research

M(Credentials Committee)/C to approve A.T.T.'s request to earn hours of supervised professional experience in the area of behavioral medicine/health psychology research.

Draft Supervised Professional Experience Supervisor/Supervisee Agreement

Dr. Greenberg stated that this is an important document and that he is impressed with this first draft. He stated that further review is necessary and that subject matter experts could provide valuable input.

Dr. Rodolfa asked staff to arrange a workshop of experts to review the agreement and make recommendations to the board for review at the August 2002 meeting.

Agenda Item #17 – Examination Committee Report – Dr. Rodolfa

a. New Chief of Office of Examination Resources Appointed

1
2 Dr. Rodolfa explained that Tracy Ferrel, PhD has been appointed by the Department of
3 Consumer Affairs to serve as Chief of the Office of Examination Resources. Dr. Rodolfa stated
4 that the board and its staff look forward to working with Dr. Ferrel in ensuring both the EPPP
5 and the CJPEE continue to maintain the high standards required of licensing examinations.
6

7 **b. Other Examination Informational Items**
8

9 Dr. Rodolfa highlighted the statistics provided on the EPPP and noted that the pass rate on the
10 computer administered EPPP continues at a higher rate than was noted on the paper pencil
11 version.
12

13 **Agenda Item #18 – Enforcement Committee Report – Mr. O'Connor**
14

15 **a. Enforcement Statistics**
16

17 Mr. O'Connor addressed the statistics provided and noted that the overall number of complaints
18 projected for the current fiscal year is down a bit but that all other numbers seem to be on track
19 with prior years' statistics.
20

21 **b. Disciplinary Guidelines Review**
22

23 Mr. O'Connor explained that the Disciplinary Guidelines were thoroughly reviewed by the
24 Enforcement Committee members the prior day and staff will include all recommended changes
25 in the document and bring the updated document back to the board for final review at the
26 board's August 2002 meeting prior to scheduling a regulation hearing at a later meeting.
27

28 **c. Expert Reviewer Nominations**
29

30 Mr. O'Connor explained that the Enforcement Committee had reviewed information on one
31 applicant for expert the prior day and decided to not approve the application. The committee
32 members indicated that they would assist staff in drafting a letter to inform this applicant of the
33 denial.
34

35 **d. Other Enforcement Informational Items**
36

37 Mr. O'Connor indicated that there were no further informational items.
38

39 **Agenda Item #19- Legislation Committee Report – Ms. Early**
40

41 **a. AB 269 (Correa)**
42

43 Ms. Early indicated that this is a bill the board reviewed at its March meeting. This bill will insert
44 language into all practice acts which asserts that the primary responsibility of the board is the
45 protection of the public. The last action on the bill was on 4/4/02 in the Assembly Business and
46 Professions (B&P) Committee. The board will continue to watch this bill.
47

48
49 **b. SB 557 (Figueroa)**
50

1 Ms. Early indicated that this bill was reviewed by the board at its March meeting. This bill will
2 prohibit State agencies from charging a “convenience fee” for state business credit card
3 transactions. The board continues to watch the bill.

4
5 **c. SB 564 (Speier)**

6
7 Ms. Early indicated that this bill was reviewed by the board at its March meeting. This bill will
8 require 15 hours of training in spousal or partner abuse for applicants and for current licensees.
9 The board continues to watch this bill.

10
11 **d. SB 2025 (Figueroa)**

12
13 Ms. Early indicated that this bill was reviewed by the board at its March meeting. This bill will
14 extend the board’s sunset from 2006 to 2007. The board continues to watch this bill.

15
16 **e. SB 2059 (Figueroa)**

17
18 Ms. Early indicated that this is a bill that the board has not yet seen. This bill parallels the DCA
19 Complaint Disclosure Policy efforts in that it will require all boards to put such a policy into
20 regulations form by 1/1/04. The board will watch the progress of this bill.

21
22 **f. Other Legislation Informational Items**

23
24 Ms. Early highlighted SB 2024 (Figueroa) which will, during the hiring freeze, prevent unfilled
25 State positions from being eliminated. Ms. Early explained that AB 2316 (Chu) which was a
26 parity bill sponsored by CPA, failed by one vote in committee on May 7. Ms. Early explained
27 that SB 1477 (Speier) would require a licensee’s license to be suspended if in default of a
28 student loan until he or she has made satisfactory repayment arrangements.

29
30
31 **Agenda Item #15 – Regulation Hearing: Fee Reduction (10:00 a.m.)**

32
33 Dr. Greenberg opened the hearing by announcing that this is a meeting of the Board of
34 Psychology to conduct a public hearing on proposed regulations.

35
36 Dr. Greenberg: “Today is Saturday, May 11, 2002; the time is 10:02 a.m., and the meeting is
37 being held in Riverside, CA. A quorum of the Board is present.

38
39 The regulation proposal was filed with the Office of Administrative Law and has been duly
40 noticed. Copies of the proposal have been sent to interested parties.

41
42 This proposal would amend section 1392(e) to reduce the initial license and biennial renewal
43 fee for a psychologist from \$400 to \$275.

44
45 The specific proposal is set forth in the Informative Digest/Plain English Overview that was
46 published and sent to interested parties.

47
48 If there is anyone in the audience with any comments feel free to do so at this time.”

49
50
51 Dr. Harmell: “The comment is ‘yeah!’”
52

1 There were no further comments.

2
3 Dr. Harmell motioned to adopt the regulations as amended and Ms. Early seconded the motion.
4 The motion carried unanimously to adopt the regulations as amended.

5
6 Vote: 6 – 0

7
8 Ms. Freedman suggested that the board also vote to delegate to staff the authority to make any
9 technical changes recommended by the Office of Administrative Law.

10
11 It was M(Tan)/S(Rodolfa)/C to delegate to staff the authority to make any necessary technical
12 changes that may arise.

13
14 The regulation hearing ended at 10:04 a.m.

15
16 **Agenda Item #20 – Consumer Education Committee Report – Mr. O’Connor**

17
18 **a. BOP Update 9**

19
20 Mr. O’Connor indicated that the BOP Update 9 was published and distributed to all licensees in
21 March.

22
23 **b. Website Update**

24
25 Mr. O’Connor indicated that staff had recently signed an Interagency Contract to have the DCA
26 Internet team update the board’s website to meet Governor Davis’ specifications. Additionally,
27 Mr. O’Connor informed the board that the DCA Internet Team just installed a new server for the
28 License Verification feature of the website. This has made the lookup feature much more
29 efficient with instant response.

30
31 **c. Other Consumer Education Informational Items**

32
33 There were no further Consumer Education informational items.

34
35 **Agenda Item #21 – Election of Officers**

36
37 **a. President**

38
39 Prior to calling for nominations, board President, Dr. Greenberg stated that it has been an honor
40 to serve as President of the Board of Psychology and he thanked the board members and the
41 board staff for all the support over the past two years.

42
43 It was M(Greenberg)/S(Harmell)/C to nominate Dr. Emil Rodolfa as President of the Board of
44 Psychology.

45
46 Vote: 6-0

47
48 **b. Vice-President**

49
50 It was M(Palarea)/S(Greenberg)/C to nominate Dr. Pamela Harmell as Vice-President of the
51 Board of Psychology.

1 Vote: 6-0

2

3 **Agenda Item #22 - Public Comment**

4

5 There was no public comment.

6

7 It was M/(Rodolfa)/S(Tan)/C to adjourn the open session meeting.

8

9 Vote: 6-0

10

11 The open session meeting adjourned at 10:09 a.m.

Pamela Harmell, Ph.D.
Vice-President (Acting President)

Date